

REMARKS

Claims 1-20 remain pending in this application. Of these claims, claims 1-4, 7-11 and 14-20 stand rejected under 35 USC §103(a) as being unpatentable over Bonsor in view of Altschul et al. and Mraz. Claims 5 and 12 stand rejected under 35 USC §103(a) as being unpatentable over Bonsor in view of Altschul et al., Mraz and Woo. Claims 6 and 13 stand rejected under 35 USC §103(a) as being unpatentable over Bonsor in view of Altschul et al., Mraz and Kawakami et al.

In view of the enclosed §1.131 Declaration and the following remarks, these rejections are traversed, and reconsideration of this application is respectfully requested.

The Examiner has objected to the disclosure because the previous amendment adding "formed in" to independent claim 1 allegedly is new matter. Applicant respectfully submits that the language "formed in" does not add new matter because figure 3 clearly shows the input diaphragm and the output diaphragm formed in the substrate. However, in the interest of expediting prosecution of this application, upon entrance of the above amendment, independent claim 1 will be amended to change the language "formed in" to "formed on". Pursuant to 37 CFR §1.116(a), it is believed to be proper that this amendment be entered because it puts this application in condition for allowance. It is therefore respectfully requested that the objection to the disclosure be withdrawn.

Applicant's filing date is June 29, 2001. The effective date of the Bonsor reference is June 21, 2001. Applicant is submitting herewith a §1.131 Declaration swearing behind the Bonsor reference. Applicant respectfully submits that he has shown conception prior to June 21, 2001 and due diligence between June 21, 2001 and June 29, 2001. It is believed the Bonsor reference should be removed as a

reference, which renders all of the §103(a) rejections moot. It is therefore respectfully that these rejections be withdrawn.

It is now believed that this application is in condition for allowance. If the Examiner believes that personal contact with Applicant's representative would expedite prosecution of this application, he is invited to call the undersigned at his convenience.

Respectfully submitted,

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Dated: 8/16/04

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